

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

July 8, 2010

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

PSF#10MD-100

Maui

Issuance of Revocable Permit to MC&A, Inc. for a Beach Activity Event for The Glaxo, Smith, & Kline Pharmaceutical Co. at Wailea Beach, Maui, at Tax Map Key: (2) 2-1-023: seaward of 007.

APPLICANT:

MC&A, Inc. whose business and mailing address is 615 Piikoi Street, Suite 1000, Honolulu, Hawaii 96814.

LEGAL REFERENCE:

Sections 171-13 and -55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Wailea, Maui identified by Tax Map Key: (2) 2-1-023: seaward of 007, as shown on the attached map labeled Exhibit A.

AREA:

1,000 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State constitution: YES _____ NO x

CURRENT USE STATUS:

Vacant and unencumbered.

CHARACTER OF USE:

Canoe Rides, and Two (2) Boogie Board / Snorkel Equipment
Distribution Sites.

TERM:

From 6:30 a.m. to 5:00 p.m. on July 12, 2010.

RENTAL:

\$100.00 (Rental based on \$.10 per square feet per day). Total
area of requested use is 1,000 square feet.

COLLATERAL SECURITY DEPOSIT:

None

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with Hawaii Administrative Rule Section 11-200-8(a)(1)(4) and the Exemption List for the Department of Land and Natural Resources approved by the Environmental Council and dated December 4, 1991, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment, or topographical features, involving negligible or no expansion or change of use beyond that previously existing" and Class No. 4, that states "Minor alteration in the conditions of land, water, or vegetation."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u> x </u>	NO <u> </u>
Registered business name confirmed:	YES <u> x </u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u> x </u>	NO <u> </u>

REMARKS:

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for these types of team building and beach activities in the past.

After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a revocable permit.

Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from government or community agencies.

MC&A, Inc. is requesting a right-of-entry permit for The Glaxo, Smith, & Kline Pharmaceutical Co. who are wishing to utilize a portion of Wailea Beach for canoe riding and beach activities, which will include the setting up of two boogie board and snorkel equipment distribution sites, and an area for loading and off loading individuals participating in canoe rides. The event is scheduled for July 12, 2010. Set up will start at 6:30 a.m. and breakdown by 5:00 p.m. The actual event will run from 8:30 a.m. to 3:00 p.m.

There are no other pertinent issues or concerns. Staff has no objections to this request.

RECOMMENDATION: That the Board:

1. Authorize the issuance of a revocable permit to MC&A Inc. covering the subject area for canoe riding and beach activity purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:
 - a. The standard terms and conditions of the most current revocable permit form, as may be amended from time to time;
 - b. Review and approval by the Department of the Attorney General; and
 - c. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Larry Pacheco
Land Agent

APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



Wailea Beach

July 12, 2010 Event
Designated Area
1000 sq. ft.

Four Seasons Resort
TMK: (2) 2-1-023:007

Exhibit (A)





STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

July 8, 2010

EXEMPTION NOTIFICATION

regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title: Issuance of Revocable Permit to MC&A, Inc. for Beach Activity Event.

Project / Reference No.: 10MD-100

Project Location: Wailea, Maui

Project Description: Non-commercial beach activity for corporate event.

Chap. 343 Trigger(s): Use of state lands within conservation district

Exemption Class No.: In accordance with Hawaii Administrative Rules, Section 11-200-8(A), the subject project is considered to be exempt from the preparation of an environmental assessment pursuant to Exemption Class No.4, that states: "Minor alterations in the condition of land, water, and vegetation."

Consulted Parties: Office of Conservation and Coastal Lands

Exemption Item Description
from Agency Exemption List: N/A

This exemption is appropriate because the activities to be allowed under the revocable permit are consistent with those conducted by the public on a daily basis. As this is not part of a multi-phase project, the activities conducted will not result in a significant, cumulative impact beyond that which results from everyday use of the beach by the general public.

Exemption Notification for Revocable Permit- Non-Commercial Beach Activity

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Recommendation:

It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment.

Laura H. Thielen, Chairperson

Date